

## **REMARKS**

### **Status**

Claims 1-18 are pending. Claims 8, 10, 11, and 15-17 have been previously withdrawn from consideration. Claims 1-7, 9 and 12-14 have been examined. Claim 2 is canceled without prejudice or disclaimer, claims 1, 3 - 7, 9 and 18 have been amended, and new claims 19 and 20 have been added. The specification has also been amended by means of a substitute specification to address certain objections and informalities. No new matter is introduced. Support for the amendments and additions may be found, for example, in the original specification at page 8, lines 21 - 26, page 25, lines 2 - 21, and page 26, lines 14 - 19, and with reference to FIGs. 1, 5, 6 and 8. No new matter has been added.

### **Specification**

A substitute specification was provided in a Response to the Office Action of August 8, 2005 to address certain identified objections and informalities. As reported presently in the Final Office Action of January 20, 2006, the substitute specification was found to be non-compliant with the requirements of 37 C.F.R. § 1.121, and as a result was not entered.

With this present Response, Applicants provide a revised substitute specification (including clean and a marked-up copies) that complies with the requirements of 37 C.F.R. § 1.121. Applicants therefore respectfully request that the revised substitute specification be entered

### **Drawings**

Replacement drawing sheets were enclosed in the Response to the Office Action of August 8, 2005 to address objections to the drawing. As reported presently in the Final Office Action of January 20, 2006, the replacement drawing sheets were not accepted, as certain elements of the revised drawings found support in the substitute specification, which was not entered. Based upon the anticipated entry of the revised substitute specification described above, Applicants

### Claim Objections

### Claim Rejections – 35 USC §112

## Claim Rejections – 35 USC §102

Amended independent claim 1 claims:

a face adapted to face a body;

an opposite face adapted to face a garment:

a cavity for finger insertion formed along a longitudinal direction on the opposite face;

a cavity opening for guiding a fingertip inserted therein to the remainder of the cavity; and

a mini-sheet which covers across one lateral side to another lateral side of the interlabial pad and also having a length in the longitudinal direction on the opposite face; wherein the cavity has a finger restriction portion at an end of the cavity for the finger insertion adapted to stop a finger at a position corresponding to the vagina of a wearer;

wherein the cavity is formed in between the opposite face and the mini-sheet piece; and

wherein the mini-sheet piece is bonded at each lateral side of the interlabial pad.

Wierlacher discloses a disposable absorbent article, including means for holding and applying the absorbent article to a user's body (see, e.g., page 4, lines 24 and 25). The holding means comprise an elongated strip of elastic film material 58 affixed to a backsheet 23 of the absorbent article at a point where the absorbent article has a tri-dimensional cross-sectional shape, to define a space 64 for inserting a user's finger in order to facilitate holding of the absorbent article (see, e.g., page 19, lines 7 - 27 and FIGs. 1, 2, 5b and 6).

In sharp contrast to Applicants invention as claimed in amended independent claim 1, the absorbent article of Wierlacher fails to teach or suggest a cavity having a finger restriction portion at an end of the cavity to stop a finger at a position corresponding to the vagina of a wearer.

At page 8 of the Detailed Action, the Examiner suggests that the absorbent article of Wierlacher includes Applicants claimed "finger restriction portion" as follows:

... the finger restriction portion is either adjacent 48 where it slopes down longitudinally and converges in the Z-direction if the finger is inserted towards 32b or adjacent the intersection of 46, 52 and 56 if the finger is inserted towards 32a.

Applicants respectfully disagree. If considered to be adjacent to intersection 48, the finger restriction portion would fail to be located at the end of the cavity defined by ridge 50, but would rather be located at an intermediate position of the cavity between segments 42 and 44 (see, e.g, FIG. 2 of Wierlacher). If considered to be adjacent to the intersection of ridges 45, 52 and 56, the finger restriction portion would fail to provide a means for stopping the further insertion of a finger, as each surface of the absorbent article that defines the intersection of ridges 45, 52 and 56 slopes in a direction away from a bottom surface of the inserted finger, thereby providing no surface to interfere with the end of the inserted finger to act as a stop (see, e.g., FIGs. 1, 2 and 6 of Wierlacher).

Accordingly, Applicants respectfully submit that amended independent claim 1 is not anticipated by Wierlacher, and is allowable. As dependent claims 3 - 7, 9, 12 - 14 and 18 each depend from allowable claim 1, Applicants further submit that dependent claims 3 - 7, 9, 12 - 14 and 18 are also allowable for at least this reason.

Applicants in addition submit that amended dependent claim 18 is allowable for additional reasons. In amended dependent claim 18, Applicants claim:

The interlabial pad according to claim 1, wherein a length of the mini sheet piece is between 50% and 80% of a longitudinal length of the interlabial pad.

In sharp contrast, Wierlacher teaches away from the limitations of Applicants' amended dependent claim 18, specifying that the material 58:

does not extend in longitudinal direction over a major portion of the length of the disposable absorbent article; preferably, it extends over less than 10% of said length, being more preferable a narrow strip with a width, extending in said longitudinal direction, of about 1 cm.

(See, e.g., page 26, lines 30 through page 27, line 2 of Wierlacher, emphasis added)

## New Claims

## CONCLUSION

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